

Revised PTO/SB/31 (05-04)
 Approved for use through 07/31/2006. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) US-P01001	
In re Application of:		Inventor: G. Thomas Wolf	
Application Number: 09/834,208		Filed: April 12, 2001	
For: Oxygen Mask			
Group Art Unit: 3761		Examiner: M. Mendoza	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced in half, and the resulting fee is: \$ 165.00

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.135(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 51,269

☐ Attorney or agent acting under 37 CFR 1.34
Registration number if acting under 37 CFR 1.34 _____

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

07/21/2004 SDIRETA1 00000065 03634298

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165.00 0P

Peter P. Tung
 Signature

Peter P. Tung
 Typed or Printed Name

443-691-0177
 Telephone Number

July 19, 2004
 Date

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Rev. 7/18/04 mtung

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JUL 19 2004

Re: Application No. **09/834,208**

Confirmation No. 3950

Filing Date : April 13, 2001

Examiner: M. Mendoza

Applicant: G. Thomas Wolf

Art Unit: 3761

For: **Oxygen Mask**

Docket No. US-P01001

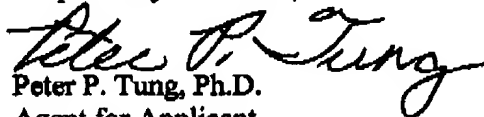
OFFICIAL**Notice of Appeal from the Examiner to the
Board of Patent Appeals and Interferences**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450Mail Stop: **AF**

Sir:

The Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action mailed April 19, 2004, Paper No. 14. Claims 1-3 have been at least been twice rejected as required under 37 C.F.R. 1.17(b). The claims that the Applicant wishes to appeal are Claims 1-3 and 4-10.

The fee required for this Notice of Appeal under 37 CFR § 1.27 is enclosed. The applicant claims Small Entity status under 37 C.F.R. § 1.27. It is not believed by Applicant that any other fees are due. However, if any additional fees are required, the Commissioner is authorized to charge any such fees to the credit card account listed on the attached Form PTO-2038.

Respectfully submitted,

Peter P. Tung, Ph.D.
Agent for Applicant
Registration No. 51,269

Date: July 19, 2004

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